

(1) *Fort Calhoun Nuclear Power Station Security Zone, Fort Calhoun, Nebraska*—all waters of the Missouri River, extending 75 feet from the shoreline of the right descending bank beginning from mile marker 645.6 and ending at mile marker 646.0.

(2) *Cooper Nuclear Station Security Zone, Brownville, Nebraska*—all waters of the Missouri River, extending 250 feet from the shoreline of the right descending bank beginning from mile marker 532.5 and ending at mile marker 532.9.

(3) *Quad Cities Generating Station Security Zone, Cordova, Illinois*—all waters of the Upper Mississippi River, extending 300 feet from the shoreline of the left descending bank beginning from mile marker 506.3 and ending at mile marker 507.3.

(4) *Prairie Island Nuclear Generating Facility Security Zone, Welch, Minnesota*—all waters of the Upper Mississippi River, extending 300 feet from the shoreline of the right descending bank beginning from mile marker 798.0 and ending at 798.3.

(5) *Clinton Power Station Security Zone, Clinton, Illinois*—all waters of Lake Clinton in Dewitt County in East Central Illinois bounded by a dam constructed near the confluence of Salt Creek River mile 56 and the north fork of Salt Creek. The zone extends out 600 feet from shore. Boundaries of the zone begin at 40°10'30" N, 88°50'30" W; thence east to 40°10'30" N, 88°49'55" W; thence south to 40°10'15" N, 88°49'55" W; thence west to 40°10'15" N, 88°50'30" W; thence returning north to the origin. These coordinates are based upon [NAD 83].

(b) *Regulations.* (1) Entry into these security zones is prohibited unless authorized by the Coast Guard Captain of the Port, St. Louis or designated representative.

(2) The Ft. Calhoun and Cooper security zones include a portion of the navigable channel of the Missouri River. All vessels that may safely navigate outside of the channel are prohibited from entering the security zone without the express permission of the Captain of the Port St. Louis or designated representative. Vessels that are required to use the channel for safe navigation are authorized entry into the zone but must remain within the chan-

nel unless expressly authorized by the Captain of the Port St. Louis or designated representative.

(3) Persons or vessels requiring the Captain of the Port St. Louis' permission to enter the security zones must contact the Coast Guard Group Upper Mississippi River at telephone number 319 524-7511 or on VHF marine channel 16 or Marine Safety Detachment Quad Cities at telephone number 309 782-0627 or the Captain of the Port, St. Louis at telephone number 314 539-3091, ext. 3500 in order to seek permission to enter the security zones. If permission is granted, all persons and vessels must comply with the instructions of the Captain of the Port, St. Louis or designated representative.

(4) Designated representatives are commissioned, warrant, and petty officers of the U.S. Coast Guard.

(c) *Authority.* In addition to 33 U.S.C. 1231, the authority for this section includes 33 U.S.C. 1226.

[COTP St. Louis-02-005, 67 FR 64043, Oct. 17, 2002]

**§ 165.830 Regulated Navigation Area; Reporting Requirements for Barges Loaded with Certain Dangerous Cargoes, Inland Rivers, Eighth Coast Guard District.**

(a) *Regulated Navigation Area.* The following waters are a regulated navigation area (RNA): the Mississippi River above mile 235.0, Above Head of Passes, including all its tributaries; the Atchafalaya River above mile 55.0, including the Red River; the Ohio River and all its tributaries; and the Tennessee River from its confluence with the Ohio River to mile zero on the Mobile River and all other tributaries between these two rivers.

(b) *Applicability.* This section applies to towing vessel operators and fleet area managers responsible for CDC barges in the RNA. This section does not apply to:

(1) Towing vessel operators responsible for barges not carrying CDCs barges, or

(2) Fleet tow boats moving one or more CDC barges within a fleet area.

(c) *Definitions.* As used in this section—

## Coast Guard, DHS

## § 165.830

*Barge* means a non-self propelled vessel engaged in commerce, as set out in 33 CFR 160.204.

*Certain Dangerous Cargo* or (CDC) includes any of the following:

(1) Division 1.1 or 1.2 explosives as defined in 49 CFR 173.50.

(2) Division 1.5D blasting agents for which a permit is required under 49 CFR 176.415 or, for which a permit is required as a condition of a Research and Special Programs Administration exemption.

(3) Division 2.3 “poisonous gas”, as listed in 49 CFR 172.101 that is also a “material poisonous by inhalation” as defined in 49 CFR 171.8, and that is in a quantity in excess of 1 metric ton per barge.

(4) Division 5.1 oxidizing materials for which a permit is required under 49 CFR 176.415 or, for which a permit is required as a condition of a Research and Special Programs Administration exemption.

(5) A liquid material that has a primary or subsidiary classification of Division 6.1 “poisonous material” as listed in 49 CFR 172.101 that is also a “material poisonous by inhalation”, as defined in 49 CFR 171.8 and that is in a bulk packaging, or that is in a quantity in excess of 20 metric tons per barge when not in a bulk packaging.

(6) Class 7, “highway route controlled quantity” radioactive material or “fissile material, controlled shipment”, as defined in 49 CFR 173.403.

(7) Bulk liquefied chlorine gas and bulk liquefied gas cargo that is flammable and/or toxic and carried under 46 CFR 154.7.

(8) The following bulk liquids—

- (i) Acetone cyanohydrin,
  - (ii) Allyl alcohol,
  - (iii) Chlorosulfonic acid,
  - (iv) Crotonaldehyde,
  - (v) Ethylene chlorohydrin,
  - (vi) Ethylene dibromide,
  - (vii) Methacrylonitrile,
  - (viii) Oleum (fuming sulfuric acid),
- and
- (ix) Propylene oxide.

*CDC barge* means a barge containing CDCs or CDC residue.

*Downbound* means the tow is traveling with the current.

*Eighth Coast Guard District* means the Coast Guard District as set out in 33 CFR 3.40-1.

*Fleeting area* means any fleet, including any facility, located within the area covered by one single port.

*Fleet tow boat* means any size vessel that is used to move, transport, or deliver a CDC barge within a fleeting area.

*Inland River Vessel Movement Center* or (IRVMC) means the Coast Guard office that is responsible for collecting the information required by this section.

*Towing vessel* means any size vessel that is used to move, transport, or deliver a CDC barge to a fleet or facility that is located in a different port than where the voyage originated.

*Towing vessel operator* means the Captain or pilot who is on watch on board a towing vessel.

*Upbound* means the tow is traveling against the current.

(d) *Regulations.* The following must report to the Inland River Vessel Movement Center (IRVMC):

(1) The towing vessel operator responsible for one or more CDC barges in the RNA must report all the information items specified in table 165.830(f), in paragraph (f) of this section, to the IRVMC:

(i) Upon point of entry into the RNA with one or more CDC barges;

(ii) Four hours before originating a voyage within the RNA with one or more CDC barges, except if the evolution of making up a tow with a CDC barge will take less than four hours before originating a voyage, and the towing vessel operator did not receive the order to make up a tow with a CDC barge in advance of four hours before originating the voyage with one or more CDC barges, in which case the towing vessel operator shall submit the required report to the IRVMC as soon as possible after receiving orders to make up a tow with one or more CDC barges;

(iii) Upon dropping off one or more CDC barges at a fleeting area or facility;

(iv) Upon picking up one or more additional CDC barges from a fleeting area or facility;

## § 165.830

(v) At designated reporting points, set forth in paragraph (e) of this section;

(vi) When the estimated time of arrival (ETA) to a reporting point varies by 6 hours from the previously reported ETA;

(vii) Any significant deviation from previously reported information;

(viii) Upon departing the RNA with one or more CDC barges; and

(ix) When directed by the IRVMC.

(2) The fleeting area manager responsible for one or more CDC barges in the RNA must report all the information items specified in table 165.830(g), in paragraph (g) of this section, to the IRVMC:

(i) Once daily, report all CDC barges within the fleeting area;

(ii) Upon moving one or more CDC barges within a fleeting area by a fleet tow boat;

(iii) Any significant deviation from previously reported information; and

(iv) When directed by the IRVMC.

(3) Reports required by this section may be made by a company representative or dispatcher on behalf of the fleeting area manager.

(4) Reports required by this section must be made to the IRVMC either by telephone to (866) 442-6089, by fax to (866) 442-6107, or by e-mail to [irvmc@cgstl.uscg.mil](mailto:irvmc@cgstl.uscg.mil). A reporting form and e-mail link are available at <http://www.uscg.mil/d8/Divs/M/IRVMC.htm>.

(5) The general regulations contained in 33 CFR 165.13 apply to this section.

(e) *Eighth Coast Guard District Inland River RNA Reporting points.* Towing vessel operators responsible for one or more CDC barges in the RNA must make reports to the IRVMC at each point listed in this paragraph (e):

(1) Lower Mississippi River (LMR), between Mile Markers (M):

(i) M 235.0-240.0 (Entering & Exiting RNA)

(ii) M 338.0-343.0

(iii) M 430.0-435.0

(iv) M 520.0-525.0

(v) M 621.0-626.0

(vi) M 695.0-700.0

(vii) M 772.0-777.0

(viii) M 859.0-864.0

(ix) M 945.0-950.0

(2) Upper Mississippi River (UMR), between Mile Markers (M) and Departing Lock & Dam (L&D), unless otherwise indicated:

(i) L&D 3

(ii) L&D 4

## 33 CFR Ch. I (7-1-04 Edition)

(iii) L&D 8

(iv) L&D 11

(v) L&D 14

(vi) L&D 18

(vii) L&D 21

(viii) L&D 25

(ix) Arriving Melvin Price L&D (downbound)

(x) Departing Melvin Price L&D (upbound)

(xi) M 150.0-145.0

(xii) M 66.0-61.0

(3) Missouri River (MOR), between Mile Markers (M):

(i) M 54.0-56.0

(ii) M 115.0-117.0

(iii) M 208.0-210.0

(iv) M 326.0-328.0

(v) M 397.0-399.0

(vi) M 487.0-489.0

(vii) M 572.0-574.0

(viii) M 652.0-654.0

(ix) M 745.0-750.0

(4) Illinois River (ILR), at Mile Marker (M) and Lock & Dam (L&D), as indicated:

(i) M 0.0

(ii) Departing New LaGrange L&D

(iii) M 140.0

(iv) M 187.2 (Entering & Exiting RNA)

(5) Ohio River, between Mile Markers (M) and at Lock & Dam (L&D), as indicated:

(i) M 950.0-952.0

(ii) Arriving Smithland L&D

(iii) M 826.0-828.0

(iv) M 748.0-750.0

(v) M 673.0-675.0

(vi) M 628.0-630.0

(vii) M 556.0-559.0

(viii) M 511.0-513.0

(ix) Departing Capt Anthony Meldahl L&D

(x) Arriving Greenup L&D (upbound)

(xi) Departing Greenup L&D (downbound)

(xii) Departing Robert C. Byrd L&D (upbound)

(xiii) Arriving Robert C. Bryd L&D (downbound)

(xiv) Departing Belleville L&D

(xv) Departing Hannibal L&D

(xvi) Departing Montgomery L&D

(6) Allegheny River at Lock & Dam (L&D), as indicated:

(i) Departing L&D 4 (upbound)

(ii) Arriving L&D 4 (downbound)

(7) Monongahela River Departing Lock & Dam (L&D):

(i) Grays Landing L&D

(ii) L&D 3

(8) Kanawha River, at Lock & Dam (L&D), as indicated:

(i) Arriving Winfield L&D (upbound)

(ii) Departing Winfield L&D (downbound)

(9) Cumberland River, between Mile Markers (M) and Departing Lock & Dam (L&D), unless otherwise indicated:

(i) Departing Old Hickory L&D (upbound)

(ii) Arriving Old Hickory L&D (downbound)

(iii) M 127.0-129.0

(iv) Barkley L&D

**Coast Guard, DHS****§ 165.830**

- (10) Tennessee River, between Mile Markers (M) and when Departing Lock & Dam (L&D), unless otherwise indicated:
  - (i) Fort Loudon L&D
  - (ii) Watts Bar L&D
  - (iii) Departing Chickamauga L&D (upbound)
  - (iv) Arriving Chickamauga L&D (downbound)
  - (v) Nickajack L&D
  - (vi) Gunterville L&D
  - (vii) General Joe Wheeler L&D
  - (viii) Pickwick Landing L&D
  - (ix) M 122.0–124.0
  - (x) Kentucky L&D
- (11) Tennessee-Tombigbee River, between Mile Markers (M) and when Departing Lock & Dam (L&D):
  - (i) Lock D
  - (ii) Aberdeen L&D
  - (iii) Aliceville L&D
  - (iv) M 202.0–203.0
  - (v) Coffeeville L&D
- (12) Mobile River, at Mile Marker (M):
  - (i) 0.0 (Entering & Exiting RNA)
  - (ii) [Reserved]
- (13) Black Warrior River, when Departing L&D:
  - (i) Holt L&D
  - (ii) [Reserved]
- (14) Alabama River, when Departing L&D:
  - (i) Claiborne L&D
  - (ii) Henry L&D
- (15) McClellan-Kerr Arkansas River Navigation System, when Departing Lock & Dam (L&D), unless otherwise indicated:
  - (i) Chouteau L&D
  - (ii) W.D. Mayo L&D
  - (iii) Ozark-Jeta Taylor L&D
  - (iv) L&D 9
  - (v) Arriving David D. Terry L&D (upbound)
  - (vi) Departing David D. Terry L&D (downbound)
  - (vii) L&D 2
- (16) Red River, between Mile Markers (M) and when Departing Lock & Dam (L&D):
  - (i) L.C. Boggs L&D
  - (ii) Lock 3
  - (iii) M 178.0–180.0
- (17) Atchafalaya River, at Mile Marker (M):
  - (i) 55.0 (Entering & Exiting RNA)
  - (ii) [Reserved]
  - (f) *Information to be reported to the IRVMC by towing vessel operators.* With the exception noted in paragraph (d)(1)(ii) of this section, towing vessel operators responsible for one or more CDC barges in the RNA must report all the information required by this section as set out in table 165.830(f) of this paragraph.

TABLE 165.830(F).—INFORMATION TO BE REPORTED TO THE IRVMC BY TOWING VESSEL OPERATORS

	24-hour contact number	Name of vessel moving barge(s)	Barge(s) name and official number	Type, name and amount of CDC on-board	Estimated time of departure from fleet area or facility	Name and location of CDC barge (fleet area or facility), including estimated time of arrival	Reporting point	Estimated time of arrival (ETA) to next reporting point (if applicable)
(1) Upon point of entry into the RNA with a CDC barge .....	X	X	X	X	.....	X	X	X
(2) 4 hours before to originating a voyage within the RNA with one or more CDC barges; but see exception in paragraph (d)(1)(ii) of this section	X	X	X	X	X	X	.....	X
(3) Upon dropping off one or more CDC barges at a fleet area or facility	.....	X	X	.....	.....	.....	.....	.....
(4) Upon picking up one or more additional CDC barges from a fleet area or facility	.....	X	X	X	.....	.....	.....	.....
(5) At designated reporting points in table 165.830(e) .....	.....	X	X	( <sup>1</sup> )	.....	( <sup>1</sup> )	X	X
(6) When ETA to a reporting point varies by 6 hours from previously reported ETA .....	.....	X	( <sup>1</sup> )	( <sup>1</sup> )	.....	.....	.....	X
(7) Any significant deviation from previously reported information (all that apply) .....	X	X	X	X	X	X	X	X
(8) Upon departing the RNA with a CDC barge(s) .....	.....	X	X	.....	.....	.....	X	.....
(9) When directed by the IRVMC .....	X	X	X	X	X	X	X	X

<sup>1</sup> If changed.

## Coast Guard, DHS

## § 165.T09-012

(g) *Information to be reported to the IRVMC by fleeting area managers.* Fleeting area managers responsible for one or more CDC barges in the RNA must

report the information required by this section as set out in table 165.830(g) of this paragraph.

TABLE 165.830(G).—INFORMATION TO BE REPORTED TO THE IRVMC BY FLEETING AREA MANAGERS

	24-hour contact number	Barge(s) name and official number	Type, name and amount of CDC onboard	Location of CDC barge (fleeting area or facility)
(1) Once daily, all CDC barges in a fleeting area	X	X	X	X
(2) Upon moving one or more CDC barges within a fleeting area by a fleet tow boat .....	.....	X	X	X
(3) Any significant deviation from previously reported information (all that apply) .....	X	X	X	X
(4) When directed by the IRVMC .....	X	X	X	X

(h) *Alternative reporting.* The Eighth Coast Guard District Commander may consider and approve alternative methods to be used by a reporting party to meet any reporting requirements if—

(1) the request is submitted in writing to Commander, Eighth Coast Guard District (m), Hale Boggs Federal Bldg., 501 Magazine Street, New Orleans, LA 70130; and

(2) the alternative provides an equivalent level of the reporting that which would be achieved by the Coast Guard with the required check-in points.

(i) Deviation from this section is prohibited unless specifically authorized by the Commander, Eighth Coast Guard District or the IRVMC.

(Approved by the Office of Management and Budget under OMB control number 1625-0105)

[CDG08-03-029, 68 FR 57363, Oct. 3, 2003; 68 FR 63988, Nov. 12, 2003, as amended at 68 FR 69959, Dec. 16, 2003]

### NINTH COAST GUARD DISTRICT

#### § 165.T09-012 Security and Safety Zone; M/V Spirit of Ontario, Lake Ontario and adjacent waters, New York.

(a) *Location.* (1) *Genesee River.* The following area is designated as a security and safety zone: all navigable waters 25 yards in all directions of the M/V Spirit of Ontario once the vessel is in the Genesee River upstream of line drawn between the Rochester Harbor Light and the East Pier Light.

(2) *Lake Ontario.* The following area is designated as a security and safety zone: all U.S. navigable waters of Lake Ontario 100 yards in all directions of the M/V Spirit of Ontario once the ves-

sel is lake-side (in Lake Ontario) of line drawn between the Rochester Harbor Light and the East Pier Light.

(b) *Definition.* As used in this section, *Captain of the Port* means the Captain of the Port Buffalo. The Captain of the Port may authorize or designate any Coast Guard commissioned officer, warrant, or petty officer to act on his behalf as his representative.

(c) *Regulations.* In accordance with the general regulations in §165.33 of this part:

(1) No person or vessel may enter or remain in this zone without the permission of the District Commander or Captain of the Port.

(2) All persons within this zone must obey any direction or order of the District Commander or the Captain of the Port, or the Captain of the Port's designated representative, which will be the on-scene patrol commander.

(3) Vessels constrained by their draft such that they are required to enter the security and safety zone should only operate at the minimum speed necessary to maintain a safe course and must proceed as directed by the on-scene patrol commander or the master of the M/V Spirit of Ontario.

(4) When the M/V Spirit of Ontario approaches within 25 yards of any vessel, on the Genesee River, that is moored or anchored, the stationary vessel must stay moored or anchored while it remains within the security and safety zone unless it is either ordered by, or given permission by the Captain of the Port Buffalo or the on-